

Date: January 24, 2007 Planning Commission Meeting

Item No. 4.

## MILPITAS PLANNING COMMISSION AGENDA REPORT

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Category: Public Hearing

Report prepared by: Kristine Lowe

Public Hearing: Yes:   X   No:       

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**TITLE:** **S-ZONE AMENDMENT NO. SA2006-62**

Proposal: A request for a sign program and a 4-foot high double-sided monument sign for the Calaveras Plaza.

Location: 750 E. Calaveras Boulevard

APN: 086-29-079

**RECOMMENDATION:** **Approve with conditions**

Applicant: Mike Strouse (Midway Signs), 3290 Bassett Street, Santa Clara, CA 95054.

Property Owner: Judy Chu Yong Jung, 756 Anacapa Court, Milpitas, CA 95035

Previous Action(s): Site and Architectural Review, Conditional Use Permit, Variance and EIA (Permit Nos. P-SZ2003-10, P-UP2003-34, P-VA2003-3 and P-EA2003-10); 18-month Time Extension (TE2005-1)

General Plan Designation: Industrial Park

Present Zoning: Industrial Park with an "S" Zone Overlay (MP-S)

Existing Land Use: Restaurant and Office uses

Agenda Sent To: Applicant & Owner (as noted above)

Attachments: Proposed Sign Program, Site Plan and Elevations

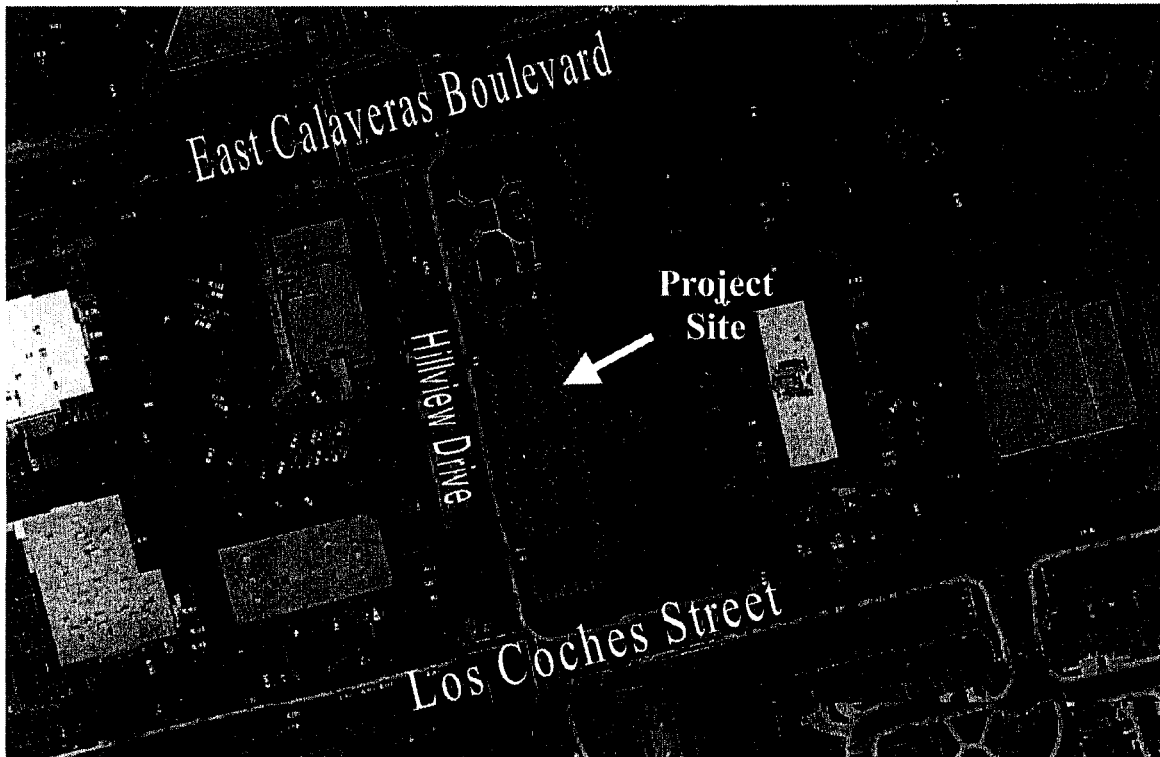
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### BACKGROUND

In 2003 The Planning Commission approved the demolition of a 7,000 square foot commercial building and construct at two-story 16,000 square foot building for office and restaurant uses. A Use Permit was also granted for restaurant use and parking reduction, a Variance for a rear yard and landscape reduction and a Mitigated Negative Declaration. In 2005, the Planning Commission approved a one-time 18-month time extension of the project.

### Site Description

The project site is located at the southeast corner of East Calaveras Boulevard and South Hillview Drive. Neighboring land uses surrounding the site include commercial uses to the north, Berryessa Creek to the east, industrial uses to the south and banks and offices to the west. The site has a zoning designation of Industrial Park with an “S” Zone overlay (MP-S).



### THE APPLICATION

The S-Zone Amendment application is submitted pursuant to Title X1, Chapter 30, Section 4.04 (Sign Program / S-Zone Approval), 3.01(b) (Review and Approval – Sign Program) and Section 42.04 (S-Zone Application - Contents) of the Milpitas Municipal Code which requires sign programs be prepared and approved for multi-tenant buildings to ensure uniformity and consistency among all signage on a building and site. With the recent construction of the 16,000 square foot building, the applicant is requesting approval of a sign program and a 4-foot high double-sided monument sign for the Calaveras Plaza. The approval of a sign program requires Planning Commission approval.

### Project Description

The applicant is proposing to establish a sign program and install a monument sign for the newly constructed site. The project site has approximately 715 linear feet of building perimeter; therefore the allowable sign area is 357.50 square feet (715 linear feet divided by 2 square feet per foot of street frontage = 357.50 square feet). The sign program includes tenant signage and signage for the freestanding sign. The proposed sign program consists of wall-mounted signage for 8 professional

office tenants, 3 restaurants and one monument sign. The following table summarizes the proposed signage at the site.

<b>Table 1 – 750 East Calaveras Boulevard Sign Program Calculations</b>		
<b>Tenant</b>	<b>Proposed Sign</b>	<b>Square Footage</b>
<b>Six (6) Professional Office Tenants – with approximate 30' frontages</b>	1 wall-mounted sign @ 22.5 square feet (maximum) 30'x50% frontage = 15' x 1.5' max. ht. = 22.5 s.f. max	135
<b>Two (2) Professional Office Tenants – with approximate 28' frontages</b>	1 wall-mounted sign @ 21 square feet (maximum) 28'x50% frontage = 14' x 1.5' max. ht. = 21 s.f. max	42
<b>Restaurant with exterior western façade - facing Hillview Drive</b>	1 wall-mounted sign @ 44 square feet (maximum) Max. 22' frontage x 2' max. ht. = 44 s.f. max.	44
<b>Restaurant with exterior northern façade - facing Calaveras Boulevard</b>	1 wall-mounted sign @ 44 square feet (maximum) Max. 22' frontage x 2' max. ht. = 44 s.f. max.	44
<b>(If applicable) Third Restaurant within center - interior façade Hillview Drive</b>	1 wall-mounted sign @ 44 square feet (maximum) Max. 22' frontage x 2' max. ht. = 44 s.f. max.	44
<b>Monument Sign</b>	2 faces @ 24 square feet	48
	<b>Total Signage Proposed</b>	<b>357</b>
	<b>Total Signage Allowed</b>	<b>357.5</b>
	<b>Surplus Signage</b>	<b>0.5</b>

The proposed sign program meets the maximum square footage allowed for the site and the proposed signage will effectively identify businesses on both floors.

### **Sign Program Proposal**

Page 2 of the sign program (see Attachment) is highlighted to address recommended changes to the proposed sign program:

#### Size of Tenant Signage

1. Sign no greater than 75% of the store lease line to lease line (maximum 25').
2. The greatest amount of space that can be devoted to the signs is 100 square feet when a building, regardless of its size, as only one major entry facing as street or parking.
3. Maximum letter height of 24 inches. Letters can be stacked, not to exceed 24 inches tall for each row.

4. Logos will be considered on a case-by case-basis. Maximum of 36-inch high logo is allowed with approval from landlord and City of Milpitas.

#### Construction Requirements

1. Letters to be constructed of 24 gauge metal (paint lock or jet coat) or aluminum.
2. Bronze return;
3. ¾" gold rim cap;
4. 3/16" acrylic plastic letter face color to be approved by landlord;
5. 30-mil-amp transformers;
6. All hardware to install pan Channel letters will have UL listed parts;
7. All letters will have silicone around and electrical penetration through the wall;
8. All letter will be internally illuminated with neon. The returns of the letter will be 5 inches and all letters will have drain holes;
9. Modules are allowed in conjunction with the name, not to exceed the size of 2 ½ letters.

#### **Conformance with Sign Ordinance**

The overall square footage for signage will be allowed a maximum 357.5 square feet for the site. In order for the sign program to comply with the City's Sign Ordinance, *Staff recommends* the following changes to the Size of Tenant Space section of the proposed sign program:

1. *The professional office tenant signage shall be reduced from a requested 75% frontage with an overall 24" letter height to a 50% frontage (14-15 feet wide) and a maximum letter height of 18". The restaurant tenant signage shall be reduced from a requested 25' maximum width to a 22' maximum width and maintain the overall letter height of 24" as proposed (Special Condition #3);*
2. *Letters can be stacked but total rows shall not exceed 18". Planning staff shall have full discretion to reduce the overall height of stacked signage to create balance and not exceed the overall square footage of signage allowed for the tenant (Special Condition #4).*
3. *No tenant signage shall exceed the total square footage specified on Table 1 (Special Condition #5);*
4. *Logos shall not exceed 30" (rather than the originally proposed 36") in height and will be considered on a case-by-case basis. Planning staff shall have full discretion not to approve a logo if it is not aesthetically compatible to the existing building and/or if it exceeds the maximum square footage of signage allowed for the tenant (Special Condition #6);*
5. *Tenants are allowed a maximum of one sign and that no tenant signage will be allowed on any of the tower elements on the site or on the monument sign (Special Condition #7).*

#### **Conformance with Zoning Ordinance**

The proposed sign program with staff recommendations meets the intent of the MP Zone and S Zone districts in that the signage will compliment the newly constructed building and is compatible and is aesthetically harmonious with the surrounding development.

### **Conformance with the General Plan**

The proposed use does not conflict with any General Plan Principles and Policies, and is consistent with the following General Plan Implementing Policies.

*Implementing Policy 2.a-I-3 Encourage economic pursuits which will strengthen and promote development through stability and balance.*

The proposed sign program and monument sign will assist patrons identify and better locate tenants from nearby streets and within the project site. The proposed signage will add to the City's economic vitality by generating business in its location and increased patronage of the commercial center.

### **ISSUES**

#### **Parking**

The proposed location of the wall-mounted signs and monument sign will not create any negative traffic impacts and no changes to the approved parking plan are proposed.

#### **Neighborhood/Community Impact**

Staff concludes that the project, as conditioned, will not create a negative community impact. The sign program is compatible with the existing neighborhood and will assist patrons in locating tenants from nearby streets and within the project site.

### **RECOMMENDATION**

Approve the S-Zone Amendment (SA2006-62) based on the Findings and Special Conditions of Approval listed below.

### **ALTERNATIVE**

Amend the proposed design, dimensions and/or proposed overall square footage and approve the S-Zone Amendment (SA2006-62).

### **FINDINGS**

1. The proposed sign program and monument sign will contribute to effective and attractive identification of businesses, services and uses and the design quality of the site and surrounding areas and will be superior to the quality that would result under the regulations and standards of the City's Sign Regulations.
2. The proposed signage are well-related to each other and compatible with the style and character of existing improvements on the site and adjacency sites;
3. All the proposed signage shall generally conform with the Design Guidelines in Section XI-30-3.04 (Sign Program / "S" Zone Approval) of the City's Sign Ordinance.
4. No signs in the Sign Program are prohibited as regulated in Section XI-30-6 (Prohibited Signs).
5. The proposed sign program and monument sign meets the requirements of Section XI-10-42.03 ("S" Zone – General Requirements).
6. The proposed signage is consistent with the City of Milpitas General Plan in that the identification of businesses will add to the City's economic vitality by generating business in its location and increased patronage of the commercial center.

7. As conditioned, the proposed sign program / monument sign will not be detrimental or injurious to the public health, safety, and general welfare to adjacent future tenants or the surrounding community because the proposed signage will not produce negative effects on the community.
8. The proposed project is categorically exempt from environmental review pursuant to Class 11, Section 15311 (Accessory Structures – On-premise signs) of the California Environmental Quality Act (CEQA) Guidelines.

### SPECIAL CONDITIONS

1. This S-Zone Amendment (SA2006-62) approval is for a sign program as depicted on approved plans dated January 24, 2007, and as modified by the approved special conditions of this S-Zone Amendment. The allowable sign area for the site shall be allowed at the discretion of the landowner, to the approval of the city, for an amount not to exceed 357.5 square feet. Any addition of approved over square footage or change in nature of proposed signage shall require review and approval by the Planning Commission of an amendment to this permit. Minor changes, including new tenant signs, as per Section 3 of the Milpitas Sign Ordinance, to approved plans may be approved by the Planning Division staff. (P)
2. This use shall be conducted in compliance with all appropriate local, state and federal laws and regulations. (P)
3. The professional office tenant signage shall be reduced from a requested 75% frontage with an overall 24" letter height to a 50% frontage (14-15 feet wide) and a maximum letter height of 18". The restaurant tenant signage shall be reduced from a requested 25' maximum width to a 22' maximum width and maintain the overall letter height of 24" as proposed; (P)
4. Letters can be stacked but total rows shall not exceed 18". Planning staff shall have full discretion to reduce the overall height of stacked signage to create balance and not exceed the overall square footage of signage allowed for the tenant; (P)
5. No tenant signage shall exceed the total square footage specified on Table 1; (P)
6. Logos shall not exceed 30" (rather than the originally proposed 36") in height and will be considered on a case-by-case basis. Planning staff shall have full discretion not to approve a logo if it is not aesthetically compatible to the existing building and/or if it exceeds the maximum square footage of signage allowed for the tenant; (P)
7. Tenants are allowed a maximum of one sign and that no tenant signage will be allowed on any of the tower elements on the site or on the monument sign. (P)
8. The developer shall not obstruct the noted sight distance areas as indicated on the City standard drawing #405. The proposed monument sign shall maintain the 15-foot setback, shown on the submitted plan, from the E. Calaveras Boulevard face of curb. Overall cumulative height of the grading, landscaping and signs as determined by sight distance shall not exceed 2 feet when measured from street elevation. (E)
9. All existing on-site public utilities shall be protected in place and if necessary relocated as approved by the City Engineer. No permanent structure is permitted within City easements. (E)
10. Prior to any work within public right of way or City easement, the developer shall obtain an encroachment permit from City of Milpitas Engineering Division. (E)

11. Prior to building permit issuance, developer must pay all applicable development fees, including but not limited to plan check and inspection deposit, and 2.5% building permit automation fee. (E)
12. The developer shall call Underground Service Alert (U.S.A.) at (800) 642-2444, 48 hrs prior to construction for location of utilities. (E)
13. The U.S. Environmental Protection Agency (EPA) has empowered the San Francisco Bay Regional Water Quality Control Board (RWQCB) to administer the National Pollution Elimination Discharge System (NPDES) permit. The NPDES permit requires all dischargers to eliminate as much as possible pollutants entering our receiving waters. Contact the RWQCB for questions regarding your specific requirements at (800) 794-2482. For general information, contact the City of Milpitas at (408) 586-3329. (E)
14. It is the responsibility of the developer to obtain any necessary permits or approvals from affected agencies or private parties, including but not limited to Caltrans. Copies of any approvals or permits must be submitted to the City of Milpitas Engineering Division. (E)
15. The Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) under the National Flood Insurance Program shows this site to be in Flood Zone "X". (E)
16. Applicable codes shall be 2001 California Building Code, CPC, CMC, 2004CEC, 2005 Energy Efficiency Standards, and 2002 Milpitas Municipal Code. (B)
17. Provide (monument sign) complete structural design calculations, construction plan and details when applying for a building permit. Plans and calculations shall be wet signed and stamped by Architect/Engineer licensed in the State of California. (B)
18. Provide method of attachment of signs and letters to building walls. Specify on plan weight of each sign. (B)
19. Electrical assemblies shall be approved and listed by approved agency and installed as per their listing and manufacture's recommendations. (B)

(P) = Planning Division

(E) = Engineering Division

(B) = Building Division

SIGN CRITERIA  
**CALAVERAS PLAZA**

JULY 1, 2006  
revised from September 20

name  
address  
phone number  
contact person  
e-mail address

CONDITIONS AND REQUIREMENTS

1. All exterior signs, bolts, fastenings, and clips shall be hidden. All said fasteners shall be galvanized, or painted.
2. All exterior signs mounted on Raceway, and painted to match wall color.
3. All letters shall be fabricated using 24 guage metal, Jet Coat or Paint Lock. Aluminum is also acceptable.
4. All penetration of the building structure required for the sign installation shall be neatly sealed in a weather tight condition.
5. No labels will be permitted on the exposed surface of signs except those required by local ordinance which shall be applied in an inconspicuous location.
6. Sign contractor shall repair any damage to any part of the wall surface exterior,
7. Grand opening banners, may be placed in the sign area allowed for the permanent sign.
8. Three sets of shop drawings must be submitted to LANDLORD prior to construction,



### CONSTRUCTION REQUIREMENTS

1. Letters to be constructed of 24 guage metal, (paint lock) or (jet coat) or aluminum.
2. Color of the returns will be bronze.
3. 3/4" gold trim cap.
4. 3/16" acrylic plastic letter face color to be approved by landlord.
5. 30 mil-amp transformers.
6. All hardware to install pan Channel letters will have UL listed parts.
7. All letters will have silicone around and electrical penetration through the wall.
8. All letters will be internally illuminated with neon. The returns of the letter will be 5". All letters will have drain holes.
9. Module are allowed in conjunction with the name, not to exceed the size of 2 1/2 letters.

### SIZE OF SIGN

1. Sign no greater than 75% of the store lease line to lease line.  
Max 25 Feet.
2. The greatest amount of space that can be devoted to the signs is 100 square feet when a building, regardless of its size, as only one major entry facing a street or parking.
3. Maximum height of letter 24" letters can be stacked, not to exceed 24" tall.
4. Logos will be considered on a case-by-case basis. Max. Up to 36" with approval of landlord and City of Milpitas.

MISCELLANEOUS:

- A. Flashing, moving or animated SIGNS will not be permitted.
- B. No exposed neon shall be permitted on any part of the sign.
- C. No exposed conduit, tubing, will be permitted.
- D. All connections, transformers, and other equipment shall be concealed.
- E. Contractor must have a C. 45 contractors license. His license number must be submitted along with the drawings, and proof of Worker's Comp. and liability. A certificate of insurance needs to be submitted with the drawings.
- F. Tenants shall have an internally illuminated pan channel letter sign installed prior to opening for business.

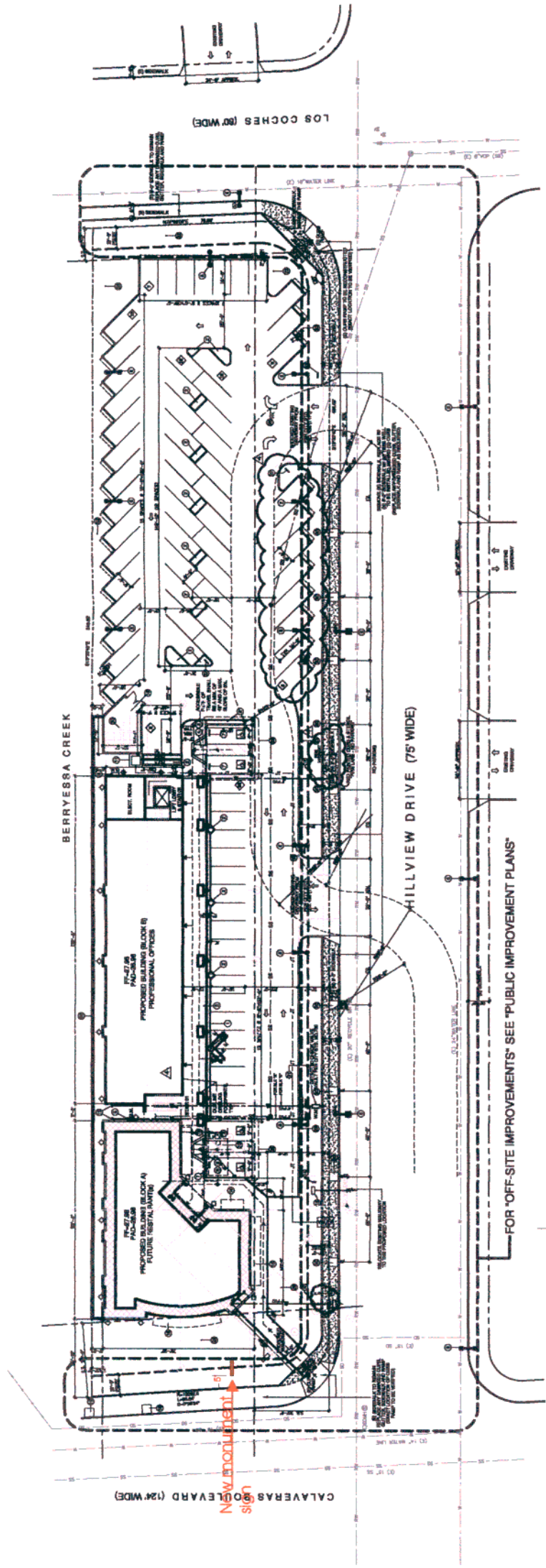




32"  
14"  
2"

18"  
36"  
16"  
2"





Not illuminated double-sided  
Monument sign made up 24 gauge metal  
with Texaco surface, plastic cut out letters  
address and Calaveras Plaza.

